

FILED
CHARLOTTE, N.C.

2004 AUG 27 PM 1:26

IN THE UNITED STATES DISTRICT COURT U.S. DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA W. DIST. OF N.C.
CHARLOTTE DIVISION

ALVIS COATINGS, INC.

Plaintiff,

v.

JOHN DOES ONE THROUGH TEN,

Defendants.

Civil Action No. 3:04CV374

ORDER EXPEDITING PRELIMINARY DISCOVERY

Alvis Coatings, Inc. has filed *Plaintiff's Emergency Motion for Leave to Conduct Limited Expedited and Preliminary Discovery* requesting expedited preliminary discovery pursuant to Rule 26(d) of the Federal Rules of Civil Procedure for the limited purposes of (a) securing the information necessary to identify the Defendants and determine the Defendants' locations and legal status and (b) preserving the information necessary for Plaintiff to prosecute its claims against Defendants. Upon consideration thereof, and for good cause shown, the Court grants Defendant's Motion.

Now, therefore, it is ORDERED, ADJUDGED AND DECREED that Plaintiff shall be permitted to take discovery immediately for the limited purposes of identifying the Defendants, determining the Defendants' location and legal status, and preserving evidence necessary for trial.

It is FURTHER ORDERED that Plaintiff may require full and complete responses to any subpoenas or other discovery it serves pursuant to this Order within fifteen (15) business days of

4

service, and that Plaintiff shall serve a copy of this ORDER EXPEDITING PRELIMINARY DISCOVERY with any such subpoenas or other discovery issued.

SO ORDERED, this 27th day of August, 2004.

Carl Horn, III

United States District Court
for the
Western District of North Carolina
August 27, 2004

* * MAILING CERTIFICATE OF CLERK * *

Re: 3:04-cv-00374

True and correct copies of the attached were mailed by the clerk to the following:

Jason M. Sneed, Esq.
Alston & Bird, LLP
Bank of America Plaza
101 S. Tryon St., Suite 4000
Charlotte, NC 28280-4000

cc:
Judge ()
Magistrate Judge ()
U.S. Marshal ()
Probation ()
U.S. Attorney ()
Atty. for Deft. ()
Defendant ()
Warden ()
Bureau of Prisons ()
Court Reporter ()
Courtroom Deputy ()
Orig-Security ()
Bankruptcy Clerk's Ofc. ()
Other_____ ()

Date: 8-27-04

Frank G. Johns, Clerk

By: B. Wallace
Deputy Clerk